

REMARKS/ARGUMENTS

In response to the Office Action mailed July 9, 2003, Applicants propose to amend their application and request reconsideration in view of the proposed amendments and remarks.

In this amendment, Claim(s) 1, 2, and 14-16 are proposed to be amended. Claims 1 and 2 have been amended to correct a clerical error in the overlapping of formulae for G and the definition of R⁵ and R⁶, as helpfully pointed out by the Examiner. Claims 14, 15, and 16 have been amended to correct a misspelling, replacing “dependant” with “dependent”; claim 15 has also been amended by inserting a comma between “athersclerosis” and “polycystic ovary sydrome”. No new matter has been introduced.

Obviousness-type Double-Patenting

Claims 1-19 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of parent US Patent No. 6,555,536.

Claims 1-19 were also provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over unspecified claims of copending Application No. 09/853,798.

In view of the terminal disclaimers in compliance with 37 CFR 1.321(c) filed herewith, Applicants respectfully request that these rejections be withdrawn.

Showing of Common Ownership

Applicants' attorney, the undersigned, asserts that application 09/853,798 and the present Application 09/990,461 were, at the time the invention of 09/990,461 was made, commonly owned by Ortho-McNeil Pharmaceutical, Inc.

35 USC 112, 2nd paragraph

Claims 1-19 were rejected for indefiniteness. According to the Office Action, in claims 1 and 2, the R5 and R6 definitions falls within the formula of the G definition (Office Action, page 3, numbered paragraph 7). Claims 1 and 2 have been amended to correct this clerical error by moving the line "R5 and R6 are independently hydrogen or C1-C6 alkyl" below the line with three formulae to follow the phrase "wherein" and to precede "R7 is ...".

No new matter has been introduced by this correction of a clerical error.

The amendment raises no new issues and places the application in condition for allowance. Therefore, entry is proper and earnestly solicited.

Applicants respectfully request that the period for response be extended three months, up to and including January 9, 2004. To cover any fees that are due in connection with filing this response, authorization is hereby given to charge such fees to Deposit Account No. 10-0750/ORT 1527/EDS in the name of Johnson & Johnson.

Respectfully submitted,


By: _____
Evelyn D. Shen
Reg. No. 39834

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2518
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